



**California Environmental Protection Agency  
Department of Toxic Substances Control**

**HAZARDOUS WASTE FACILITY PERMIT**

**Facility Name:**

General Chemical –  
Bay Point Works  
501 Nichols Road  
Bay Point, California 94565

**Owner Name:**

General Chemical West, LLC  
90 East Halsey Road  
Parsippany, New Jersey 07054

**Operator Name:**

General Chemical –  
Bay Point Works  
501 Nichols Road  
Bay Point, California 94565

Permit No: 06-BRK-09

Facility EPA ID Number: CAD 009 142 290

Issuance Date of Permit: May 26, 2006

Effective Date of Permit: June 30, 2006

Expiration Date of Permit: June 29, 2016

Pursuant to Section 25200 of the California Health and Safety Code this RCRA equivalent Hazardous Waste Facility Permit is hereby issued to General Chemical West Bay Point Works in Pittsburg, California. The issuance of this permit is subject to the conditions set forth in Attachment A and the Part B application (Operation Plan – dated August 15, 2005). The permit, including this cover page, and Attachment A consists of 29 pages.

// Signed By //

Mohinder S. Sandhu, P.E., Chief  
Standardized Permitting and Corrective Action Branch  
Department of Toxic Substances Control

Date: May 26, 2006

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## **ATTACHMENT A**

### **HAZARDOUS WASTE FACILITY PERMIT**

**GENERAL CHEMICAL WEST, BAY POINT WORKS FACILITY  
501 NICHOLS ROAD  
BAY POINT, CALIFORNIA 94565  
EPA ID NO.: CAD 000 630 921**

#### **PART I. DEFINITIONS**

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, division 20, chapter 6.5 and California Code of Regulations, title 22, division 4.5, unless expressly provided otherwise by this Permit.

1. **"CFR"** as used in this permit means the Code of Federal Regulations.
2. **"DTSC"** as used in this Permit means the California Department of Toxic Substances Control.
3. **"Health and Safety Code"** as used in this Permit means the Health and Safety Code.
4. **"Waste"** as used in this Permit means waste that contains Resource Conservation and Recovery Act (RCRA) hazardous waste as identified in Title 22, California Code of Regulations.
5. **"Permittee"** as used in this Permit means the Owner and Operator.
6. **"Facility"** as used in this Permit means hazardous waste facility as defined in Title 22, California Code of Regulations, Section 66260.10.

Unless explicitly stated otherwise, all cross-references to items in this Permit shall refer only to items occurring within the same part.

## **PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP**

1. **OWNER:**

The owner of the facility and the land upon which the facility is sited is General Chemical West Limited Liability Company, a wholly owned subsidiary of the Gen Tek Corporation.

2. **OPERATOR:**

The facility operator is General Chemical West (GC) - Bay Point Works (hereafter "Operator").

3. **LOCATION:**

The GC Facility is located in Contra Costa County just north of the Port Chicago Highway, five miles west of Pittsburg, California (Figure 1) and consists of three contiguous parcels. Waste storage operations covered under this permit are located within the area that contains the processing buildings (Figure 2). The physical address of the Facility is 501 Nichols Road, Bay Point, California 94565. The Assessor Parcel numbers that make up the Facility are 99-030-018, 99-030-019, and 99-030-025.

4. **DESCRIPTION:**

The GC facility manufactures products such as high purity acids, etchants and Alum (aluminum sulfate). The plant was originally built in 1907 by the Nichols Chemical Company for the production of sulfuric acid, nitric acid, and Alum. During the mid-1950s hydrofluoric acid production was added. In the mid-1960s chemically pure (CP) processes were added to produce the high purity acids required by the electronics industry. In 1988, the General Chemical Corporation (GCC) purchased a 26 acre portion of the original Nichols property as shown in Figure 2. In November of 2003, GCC underwent a restructuring involving the transfer of the facility out of GCC and into GCW, a new wholly-owned subsidiary of Gen TeK Corporation. Today, the Bay Point Works major product line is the CP acids.

Large volumes of water are required to thoroughly clean pipes, pumps, and ancillary equipment associated with the CP acid producing process. The water used to perform these functions becomes contaminated with acid and sometimes chromium. These wastewaters are collected in four separate sumps within the Facility and sent to one of two 16,400 gallon capacity storage tanks as a RCRA hazardous waste. The waste may be stored in these tanks for greater than 90 days but not longer than one year depending on the requirements of production.

When one tank becomes full, the waste is removed by a licensed hazardous waste transporter and sent to an off site authorized Treatment, Storage, and Disposal Facility for treatment.

This permit authorizes the collection of acidic waste water in 4 sumps and storage of a maximum total of 30,000 gallons of waste in two hazardous waste aboveground storage tanks at GCW (see Table 1). On a yearly basis, the total amount of acid wastes to be stored prior to treatment will be less than 200,000 gallons. The authorized storage area and associated capacities are identified in Table 1.

The aboveground storage tanks at GC are located outside along the northern perimeter of the facility (Figure 2). The storage tanks are accessed by a roadway from the north. The unit features secondary containment structure and a lined sump which is an integral part of the structure. The total secondary containment capacity is 27,500 gallons.

**Table 1: Hazardous Wastewater Collection/Storage Units with Volume Limits**

Unit #	Structure	Collection/Storage Unit(s)	Waste Volume (gallons)
1	Electronics Grade Hydrofluoric Acid (EHF) Collection Sump.	Concrete collection sump	350
2	Packaging Building Sump	Polyvinylchloride collection sump	200
3	Packaging Building Drum Processing Sump	HDPE collection sump	600
4	Batch Area Sump	Polyvinylchloride collection sump	350
5	Hazardous Waste Management Tanks	Two HDPE tanks integrally attached to the bottom of a lined concrete pad with secondary containment.	16,400 capacity per tank  15,000 max allowed per tank

Hazardous waste is generated from four locations within the facility:

1. EHF Plant
2. Packaging Building
3. Bermed process areas subject to rainfall
4. Batch area for off-specification material that cannot be reprocessed into a usable product.

These areas produce waste streams as listed within this Attachment A and in the Part B Permit application. The wastes are collected via the sumps and conveyed to the designated waste storage tanks through the hazardous waste collection system as described in the Part B Permit Application.

5. FACILITY SIZE AND TYPE FOR FEE PURPOSES:

The facility is categorized as a "Medium Storage Facility" for purposes of Health and Safety Code section 25205.19. A Medium Storage Facility is defined as a facility that stores more than or has the capacity to store 0.5 tons, but less than 1,000 tons, of hazardous waste during any one month of the current reporting period.

### **PART III. GENERAL CONDITIONS**

1. **PERMIT APPLICATION DOCUMENTS:**

The Part "A" Application dated January 14, 2004 and the Part "B" Application (Operation Plan) dated August 15, 2005 are hereby approved and made a part of this Permit by reference.

2. **EFFECT OF PERMIT:**

- (a) The Permittee shall comply with the provisions of the California Health and Safety Code, and California Code of Regulation title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the operation of the Facility.
- (b) The Permittee is permitted to store waste generated at the GCW facility in accordance with the conditions of this Permit. Any storage of hazardous wastes not specifically authorized in this Permit is strictly prohibited.
- (d) Storage of any waste in the aboveground tanks in excess of one year is prohibited, unless expressly allowed under Special Condition V.2 of this Permit.
- (e) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (f) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.
- (g) Failure to comply with any term or condition set forth in the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to Health and Safety Code section 25187.



- (h) In addition, failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (California Code of Regulations, title 22, section 66270.43).
- (i) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.
- (j) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The California Environmental Protection Agency, Department of Toxic Substances Control, as the lead agency for this project prepared an Initial Study to assess environmental impacts. The Initial Study concluded there would be no significant adverse impacts associated with the storage of the wastes identified in the Operation Plan. A Negative Declaration was prepared, in accordance with the requirements of Public Resources Code, division 13 (section 21000 et seq.) and the CEQA Guidelines, California Code of Regulations, title 14, division 6, chapter 3, section 15070 et seq.

4. WASTE MINIMIZATION CERTIFICATION

Pursuant to Health and Safety Code section 25202.9, the Permittee shall certify annually, by March 1 for the previous year ending December 31, that:

- (a) The facility has a program in place to reduce the volume and toxicity of all wastes, listed in its January 14, 2004 Part A application, that are generated by the facility operations to the degree, determined by the Permittee, to be economically practicable.
- (b) The method of storage or treatment is the only practicable method or combination of methods currently available to the facility that minimizes the present and future threat to human health and the environment.

The Permittee shall make this certification, in accordance with California Code of Regulations, title 22, section 66270.11. The Permittee shall submit the certification to Branch Chief, Standardized Permitting and Corrective Action Branch and shall record and maintain onsite such certification in the facility Operating Record.

(5) WASTE MINIMIZATION CONDITIONS:

The Permittee shall comply with the Hazardous Waste Source Reduction and Management Review Act (SB 14) requirements that are specified in the Health and Safety Code sections 25244.19, 25244.20 and 25244.21, and any subsequent applicable statutes or regulations promulgated there under. This would include submittal of SB 14 documents to DTSC upon request.

DTSC may require the Permittee to submit a more detailed status report explaining any deviation from, or changes to, the approved waste minimization plan.

(6) MODIFICATIONS:

- (a) The Permittee must request and obtain a permit modification to revise any portion of this Permit. To request such a revision, the Permittee must comply with the procedures for permit modifications set forth in 22, California Code of Regulations section 66270.42.
- (b) If at any time DTSC determines that modification of this Permit is necessary, DTSC may initiate a modification to this Permit according to procedures in 22, California Code of Regulations section 66270.41.

#### **PART IV. PERMITTED UNITS AND ACTIVITIES**

This Permit authorizes operation only of the two wastewater storage tanks associated collection sumps, and activities listed below. The Permittee shall not store waste in any unit other than that specified in this Part IV. Any modifications to this unit or activity authorized by this Permit require the written approval of DTSC in accordance with the permit modification procedures set forth in California Code of Regulations, title 22. Four units have been designated as collection sumps and one unit has been designated for the storage in tanks of hazardous waste at GC. The units are described in more detail below.

UNIT 1:

Electronics Grade Hydrofluoric Acid (EHF) Hazardous Waste Collection Sump.

LOCATION:

The EHF sump is located in the middle of the EHF manufacturing plant within the secondary containment that encompasses the plant.

ACTIVITY TYPE:

Collection of waste in sump.

ACTIVITY DESCRIPTION:

All rainwater that falls onto the EHF plant area is collected in the EHF Sump. Due to the possibility of drips and leaks from the EHF process equipment thus contaminating the rainwater, this water is prevented from entering the stormwater discharge system. Water collected in this sump is capable of being pumped either to the hazardous waste storage tanks, or to the sanitary sewer. The rainwater is tested for pH and fluoride concentration, prior to discharge to the sanitary sewer. Per an agreement with the Publicly Owned Treatment Works (POTW), GC is allowed to send rainwater to the POTW if the fluoride concentration is less than 160 parts per million and the pH is greater than 2.5. If the fluoride concentration is greater than 160 ppm or the pH is equal to or less than 2.5, the water is pumped to the hazardous waste storage tanks.

PHYSICAL DESCRIPTION:

A slight slope in the floor of the secondary containment area of the EHF plant leads liquids to the sump, which is a concrete box, below grade, covered with a grating. The sump is coated with a sealant compatible with the waste it is likely to contain. The pump used for transferring the waste to the hazardous waste storage tanks is a Vanton, Model SG-PY1200G Sump Pump, with a capacity of 40 gallons per minute. The pump is manually operated.

MAXIMUM PERMITTED STORAGE CAPACITY:

The EHF Sump measures 48" x 48" x 36", with a maximum permitted storage capacity of 350 gallons.

WASTE TYPES:

The waste captured in the sump is typically pure rainwater, with no detectable fluoride. Occasional drips from process equipment may lead to detectable levels of fluoride in the water. This is the only potential contaminant associated with this sump. An analysis of EHF sump waste is included in the Part B application. The waste likely to be collected

in this sump has been assigned the federal hazardous waste code D002. The State of California regulated waste code associated with the waste collected by this sump is 131.

AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SURFACE  
IMPOUNDMENTS (SUBPART CC):

This unit is not subject to the Air Emission Standards of the California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5 for the following reasons:

- (1) Managed waste streams have organic concentrations of less than 500 part per million by weight (ppmw) average.
- (2) Unit used only for the storage of waste.

## UNIT 2:

Packaging Building Sump.

### LOCATION:

This sump is located outside, on the west side of the Packaging Building.

### ACTIVITY TYPE:

Collection of wastewater in sump.

### ACTIVITY DESCRIPTION:

The packaging process used by GC involves the use of a common system of pipes to deliver the various acid products to the packaging systems (bottle filling, drum filling, etc.) The pipes must be flushed after one product is packaged, and before the next product is packaged. This is done by first running de-ionized water through the pipes. This water is contaminated with acid residue in the pipes. This contaminated water is sent to the sump. Next, a volume of the acid to be packaged is delivered through the pipes. This acid will bear some contamination from the water residue in the pipes. This acid is sent to the sump.

### PHYSICAL DESCRIPTION:

The sump consists of a box, constructed of polyvinylchloride, located below grade, in a secondary containment sump. The outer sump (for secondary containment) is made of concrete and sealed with a sealant compatible with the waste it is likely to contain. The pump used for transferring the waste to the hazardous waste storage tanks is a Vanton, Model SG-PY500GA Sump Pump, with a capacity of 40 gallons per minute. This pump is activated automatically by means of a level controller.

### MAXIMUM PERMITTED STORAGE CAPACITY:

The sump measures 33" x 36" x 36", with a maximum storage capacity of 200 gallons.

### WASTE TYPES:

The waste in this sump is comprised of water and any of the acids processed at GC. A typical analysis is included in the Operation Plan. The waste likely to be collected in this sump has been assigned the federal waste codes D002 and D004. The State regulated waste codes associated with the waste may include: 131, 151, 181, and 343.

AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SURFACE  
IMPOUNDMENTS (SUBPART CC)

This unit is not subject to the Air Emission Standards of the California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5 for the following reasons:

- (1) Managed waste streams have organic concentrations of less than 500 ppmw average.
- (2) Unit used only for the storage of waste.

### UNIT 3:

#### Packaging Building Drum Processing Sump

### LOCATION:

This sump is located outside, south of, and immediately adjacent to, the Packaging Building. The sump is in an area that is covered, and protected from rainfall.

### ACTIVITY TYPE:

Collection of waste in sumps

### ACTIVITY DESCRIPTION:

The packaging process used by GC involves the use of a common system of pipes, to deliver our various products to the packaging systems (bottle filling, drum filling, etc.) The pipes must be flushed after one product is packaged, and before the next product is packaged. This is done by first running de-ionized water through the pipes. This water is contaminated with acid residue in the pipes. This contaminated water is sent to the appropriate sump. Next, a volume of the acid to be packaged is delivered through the pipes. This acid will bear some contamination from the water residue in the pipes. This acid is sent to the same sump.

### PHYSICAL DESCRIPTION:

The Drum Process Sump is an above-grade tank, manufactured of high-density polyethylene. The sump is surrounded by secondary containment walls, which are coated with a sealant compatible with the waste it is likely to contain. The pump used for transferring the waste to the hazardous waste storage tanks is a Vanton, Model SP-GY1200G Sump Pump, with a capacity of 40 gallons per minute. This pump is activated automatically by means of a level controller.

### MAXIMUM PERMITTED STORAGE CAPACITY:

The sump tank has a maximum permitted storage capacity of 600 gallons.

### WASTE TYPES:

The waste in this sump is comprised of water and any of the acids processed at General Chemical. A typical analysis is included in the Part B application. The waste likely to be collected in this sump has been assigned the federal waste codes D002 and D004. The State regulated waste codes associated with the waste may include: 131, 151, 181, and 343.



AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SURFACE  
IMPOUNDMENTS (SUBPART CC):

This unit is not subject to the Air Emission Standards of the California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5 for the following reasons:

- (1) Managed waste streams have organic concentrations of less than 500 ppmw average.
- (2) Unit used only for the storage of waste.

UNIT 4:

Batch Area Sump

LOCATION:

The Batch Area Sump is located on the northern edge of the plant, adjacent to the Batch Area.

ACTIVITY TYPE:

Collection of waste in sumps

ACTIVITY DESCRIPTION:

The Batch Sump is used for the disposal of off-spec product. When a batch of product fails our in-house quality assurance tests, and is non-reworkable, the product is poured into the Batch Area Sump, from where it is pumped to the hazardous waste storage tanks.

PHYSICAL DESCRIPTION:

The sump consists of a box, constructed of polyvinylchloride, located below grade, in a secondary containment sump. The outer sump is made of concrete and is sealed with a sealant compatible with the waste it is likely to contain. The pump used for transferring the waste is a Vanton, Model SG-PY500GA Sump Pump, with a capacity of 40 gallons per minute.

MAXIMUM PERMITTED STORAGE CAPACITY:

The Batch Area Sump measures 37" x 57" x 38", with a maximum permitted storage capacity of 350 gallons.

WASTE TYPES:

The waste in this sump is comprised of water and any of the acids processed at GC. A typical analysis is included in the Part B application. The waste likely to be collected in this sump has been assigned the federal waste codes D002 and D004. The State regulated waste codes associated with the waste may include: 131, 151, 141, 181, 331, and 343.

AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SURFACE IMPOUNDMENTS (SUBPART CC):

This unit is not subject to the Air Emission Standards of the California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5 for the following reasons:

- (1) Managed waste streams have organic concentrations of less than 500 ppmw average.
- (2) Unit used only for the storage of waste.

## UNIT 5:

Hazardous Waste Collection Tanks.

### LOCATION:

Two Hazardous Waste Collection Tanks are located on the northern boundary of the north central portion of the property that includes the main GC facility, just south of the adjacent Allied Signal North property.

### ACTIVITY TYPE:

Storage in tanks.

### ACTIVITY DESCRIPTION:

Storage of acidic and chromium contaminated waste water in tanks.

### PHYSICAL DESCRIPTION:

Each tank is a 16,400 gallon High Density Polyethylene (HDPE), cylindrical, vertical tank. Both tanks are placed within a secondary containment structure. The HDPE tanks are identified as RCRA Tank A and Tank B. The secondary containment consists of a 12 inch thick reinforced concrete slab measuring approximately 40 feet long and 32 feet wide that has perimeter berm walls of 2 feet 9 inches in height and 8 inches thick (see Operation Plan, Figure D-5). The secondary containment structure is lined with a 6 millimeter thick epoxy coating and also includes a polypropylene and epoxy lined sump that is an integral part of the structure. The sump includes a 60 gallon per minute (GPM) self-priming sump pump which directs any rainwater or leakage that may accumulate in the secondary containment back to the tanks. Waste is transferred to the Hazardous waste tanks via above ground single walled underground double walled pipes from the four collection sumps within the facility. When one tank reaches 15,000 gallons the waste feed is diverted into the other tank,. Waste from the full tank is removed by a licensed hazardous waste transporter and shipped to an authorized Treatment, Storage, and Disposal (TSD) Facility.

### MAXIMUM PERMITTED STORAGE CAPACITIES:

The design capacity for each tank is 16,400 gallons. The maximum permitted storage capacity for each tank is 15,000 gallons. The secondary containment has the capacity to hold approximately 27,500 gallons.

### WASTE TYPES:

The plant produces, among other products, hydrochloric, nitric, sulfuric, acetic, phosphoric, and hydrofluoric acids; Buffered Oxide Etchant (BOE – a mixture of

ammonium fluoride and hydrochloric acid); and phosphoric acid etch (mixtures of nitric and phosphoric acid). The waste stored in these tanks is waste water derived from cleaning the pipes, pumps, and ancillary equipment associated with the facility manufacturing processes. The waste stored in these tanks has been assigned the federal waste codes D002 and D004. The State regulated waste codes associated with the waste may include 131, 151, 141, 181, 331, and 343.

AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND SURFACE  
IMPOUNDMENTS (SUBPART CC):

This unit is not subject to the Air Emission Standards of the California Code of Regulations, title 22, division 4.5, chapter 14, article 28.5 for the following reasons:

- (1) Managed waste streams have organic concentrations of less than 500 ppmw average.
- (2) Unit used only for the storage of waste.

**PART V. SPECIAL CONDITIONS.**

1. **SPECIAL CONDITIONS WHICH APPLY TO THE HAZARDOUS WASTE STORAGE UNITS:**
  - (a) Hazardous wastes shall not be disposed of at the facility.
  - (b) The Permittee shall mark the storage tanks with the internationally recognized hazardous identification system placard developed by the National Fire Prevention Association.
  - (c) The Permittee shall provide for the storage of acid waste water in the two 16,400 gallon HDPE tanks which shall be in accordance with the applicable requirements of title 22, California Code of Regulations, division 4.5, chapter 14, article 10.
  - (d) As per the facilities standard operating procedures described in the Operation Plan, the Permittee shall operate the storage tanks such that they will not be filled beyond 15,000 gallons and they shall be operated on an alternate basis such that one will be accepting waste while the other is being emptied. Thus the two tanks shall never accept waste at the same time.
  - (e) On a yearly basis, the maximum volume of hazardous wastes stored at the Hazardous Waste Storage Unit prior to shipment off-site for treatment and disposal shall not exceed 200,000 gallons per year.
  - (f) The Permittee shall inspect the storage system in accordance with the procedures and guidelines described in the GCW Environmental Manual as provided in Appendix 2 of the Permit Application dated August 15, 2005.
  - (g) The Permittee shall document compliance with the Permit conditions and place this documentation in the operating records [California Code of Regulations, title 22, section 66264.195 (d)].

2. SPECIAL CONDITION WHICH APPLIES TO THE TRANSPORTATION OF  
HAZARDOUS WASTES FROM GENERAL CHEMICAL WEST LLC.:

The Permittee shall not transport hazardous wastes from Unit-5 Hazardous Waste Collection Tanks through the City of Bay Point, California between the following time periods:

(1) Monday through Friday – 6:30 AM to 8:00 AM

(2) Monday through Friday – 1:30 PM to 4:00 PM

## **PART VI - CORRECTIVE ACTION**

### **1. IDENTIFIED PAST RELEASES AT HAZARDOUS WASTE MANAGEMENT UNITS (HWMUs) and SOLID WASTE MANAGEMENT UNITS (SWMUs)**

- a) A RCRA Facility Assessment (RFA) was initiated by DTSC in 1991. Based on the 1992 RFA Report, one Hazardous Waste Management Unit (HWMU-1) and 14 Solid Waste Management Units (SWMUs -1 through -14) were identified in 3 areas of concern (AOCs) at the GCW facility. Rationale for excluding SWMU-3, SWMU-7, and SWMU-12 from further investigation was provided and DTSC concurred. All of the SWMUs and the HWMU identified during the RFA effort are listed in Table 2 of this Permit.
- b) In 1995, work began on a RCRA Facility Investigation (RFI) to gather evidence of potential releases from the remaining SWMUs and the HWMU. The RFI indicated that soil and groundwater at the site has been impacted and DTSC requested that a corrective measures study (CMS) be initiated. The CMS work produced the documents titled *CMS Task 1 Activities Report (1999)*. Based in part on the information provided in the CMS Task 1 document, DTSC rescinded the CMS status and reinstated the RFI effort to complete the investigations. Since that time, the *Technical Memorandum: Onsite Vertical Gradient and Chemistry Evaluation (2001)*, and the *Offsite Investigation Results Transmittal (2003)* have been produced. In addition, the draft *Human Health Risk Assessment (HHRA)* and the *Ecological Risk Assessment (ERA)* were submitted in July and November of 2004 respectively. A data gap for the off site risk was identified as a result of these efforts. DTSC will determine if the off site and on site risks should be combined or separated and final documents will be produced. Once the off site/on site HHRAs and ERA's are finalized, a CMS document will be produced with a submittal scheduled for 2006/2007.

### **2. POTENTIAL OR IMMEDIATE THREATS/NEWLY IDENTIFIED RELEASES/NEWLY IDENTIFIED SWMUs:**

- a) In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.
- b) DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human



health and/or the environment and newly identified releases of hazardous waste and/or hazardous constituents. For newly identified SWMUs, the Permittee is required to conduct corrective action. Corrective action will be carried out under either a Corrective Action Consent Agreement or a Unilateral Corrective Action Order pursuant to Health and Safety Code, Section 25187.

3. SAMPLING AND ACCESS:

a) Sampling

- i. The Permittee shall provide confirmatory samples to DTSC within the time requested by DTSC to determine if there is a threat to human health and /or the environment. The sampling shall be done in accordance with guidance that DTSC supplies to the Permittee.
- ii. The Permittee shall notify DTSC in writing at least fourteen (14) days prior to beginning any confirmatory sampling requested by DTSC. If the Permittee believes it must commence emergency confirmatory sampling without delay, the Permittee may seek emergency telephone authorization from DTSC's Standardized Permitting and Corrective Action Branch Chief or, if the Branch Chief is unavailable, his/her designee to commence such activities immediately. At the request of DTSC, the Permittee shall provide or allow DTSC or its authorized representative to take split or duplicate samples of all samples collected by the Permittee pursuant to this part of the Permit.
- iii. The Permittee shall submit to DTSC upon request the results of all sampling and/or test or other data generated by its employees, divisions, agents, consultants or contractors pursuant to this Permit.
- iv. Notwithstanding any other provisions of this Permit, DTSC retains all information gathering and inspection authority rights including enforcement actions related thereto, under the Health and Safety Code and any other applicable State or federal statutes or regulations.

b) Access

- i. DTSC, its contractors, employees, agents, and/or any US EPA representatives are authorized to enter and freely move about the Facility pursuant to the entire Permit for the purposes of : interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of this Permit; conducting such test, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports

and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit and Division 20, Chapter 6.5 of the Health and Safety Code.

- ii. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Permittee's Facility and any other property to which access is required for implementation of any provisions of the Permit and any provision of Division 20, Chapter 6.5 of the Health and Safety Code and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to this Permit or undertake any other activity necessary to determine compliance with applicable requirements.
- iii. To the extent that work being performed pursuant to this part of the Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of the Permit from the present owner(s) of such property within thirty (30) days of approval of any workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access area not obtained within thirty (30) days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within fourteen (14) days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property.
- iv. Nothing in this Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.
- v. Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable State or federal laws and regulations.

**Table 2**

**IDENTIFIED HAZARDOUS WASTE MANAGEMENT UNITS AND SOLID WASTE MANAGEMENT UNITS AT GENERAL CHEMICAL WEST (RFA, 1992)**

<b>Unit</b>	<b>Description</b>	<b>AOC</b>
HWMU-1	RCRA permitted waste unit comprised of tanks within a concrete bermed enclosure. This unit is located on the north boundary near the center of the plant.	AOC-1
SWMU-1	The sulfuric acid above ground storage tanks (ASTs) in the central west portion of the plant; these ASTs have been dismantled and removed.	AOC-1
SWMU-2	An asphalt and concrete bermed area where a former 150-gallon storage tank was used to store waste oil: located in the northwest corner of the Facility.	AOC-1
SWMU-3	Catch basin in mixed acid etchant area that discharges to the pH adjustment station.	AOC-1
SWMU-4	A catch basin in the phosphoric acid unloading area located between the alum plant and warehouse number 2.	AOC-1
SWMU-5	A plastic tank inside a concrete vault located south of the packaging center. This tank receives acidic process wastewater from the packing center.	AOC-1
SWMU-6	The wastewater treatment unit. An unlined freshwater reservoir used to store pH-adjusted wastewater before it is discharged to Suisun Bay under a National Pollutant Discharge Elimination System (NPDES) Permit Number CA0004979.	AOC-2
SWMU-7	Three former petroleum UST's removed in 1991. A No further Action (NFA) was obtained from the RWQCB in 1991	AOC-1
SWMU-8	An unpaved area under an aboveground portion of a caustic supply line to HWMU-1 and immediately east of HWMU-1.	AOC-1
SWMU-9	The caustic storage tank and surrounding area located adjacent to the Suisun Bay.	AOC-3
SWMU-10	A plastic tank inside a concrete vault, which receives any solvent spillage from the solvent packaging area.	AOC-1
SWMU-11	Concrete lined trenches that flow to the pH adjustment station and then to SWMU-6; also used for storm water transport to SWMU-6.	AOC-1
SWMU-12	Unpaved areas along northern boundary of General Chemical West property.	AOC-1
SWMU-13	A narrow, elongated portion of the plant, located on the northwest corner of the GCW facility adjacent to a former waste disposal area where lead and arsenic wastes were reportedly buried.	AOC-1
SWMU-14	Former HWMU-2; consists of a waste collection sump for the hazardous waste stream.	AOC-1

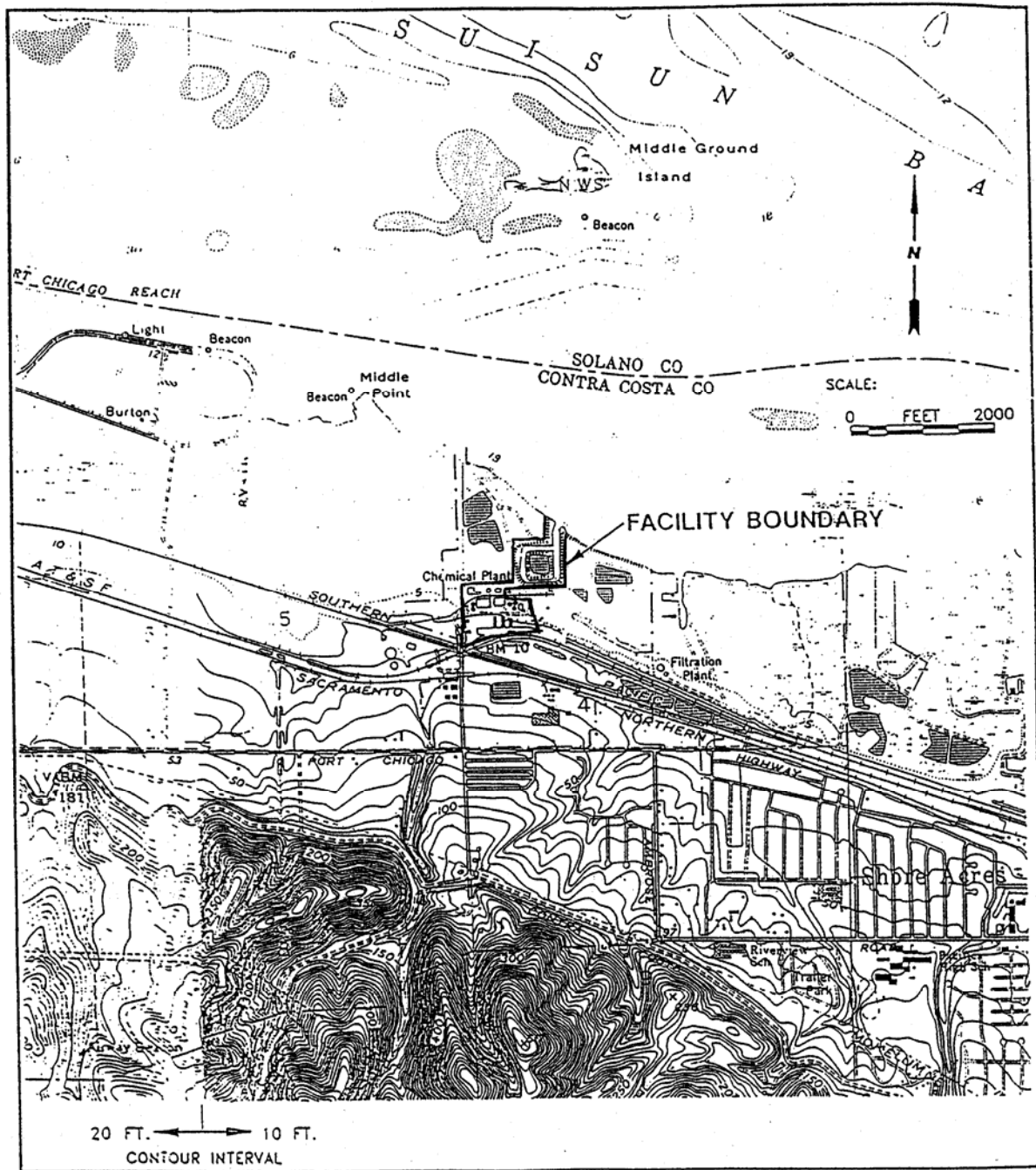


FIGURE 1. SITE LOCATION MAP, GENERAL CHEMICAL

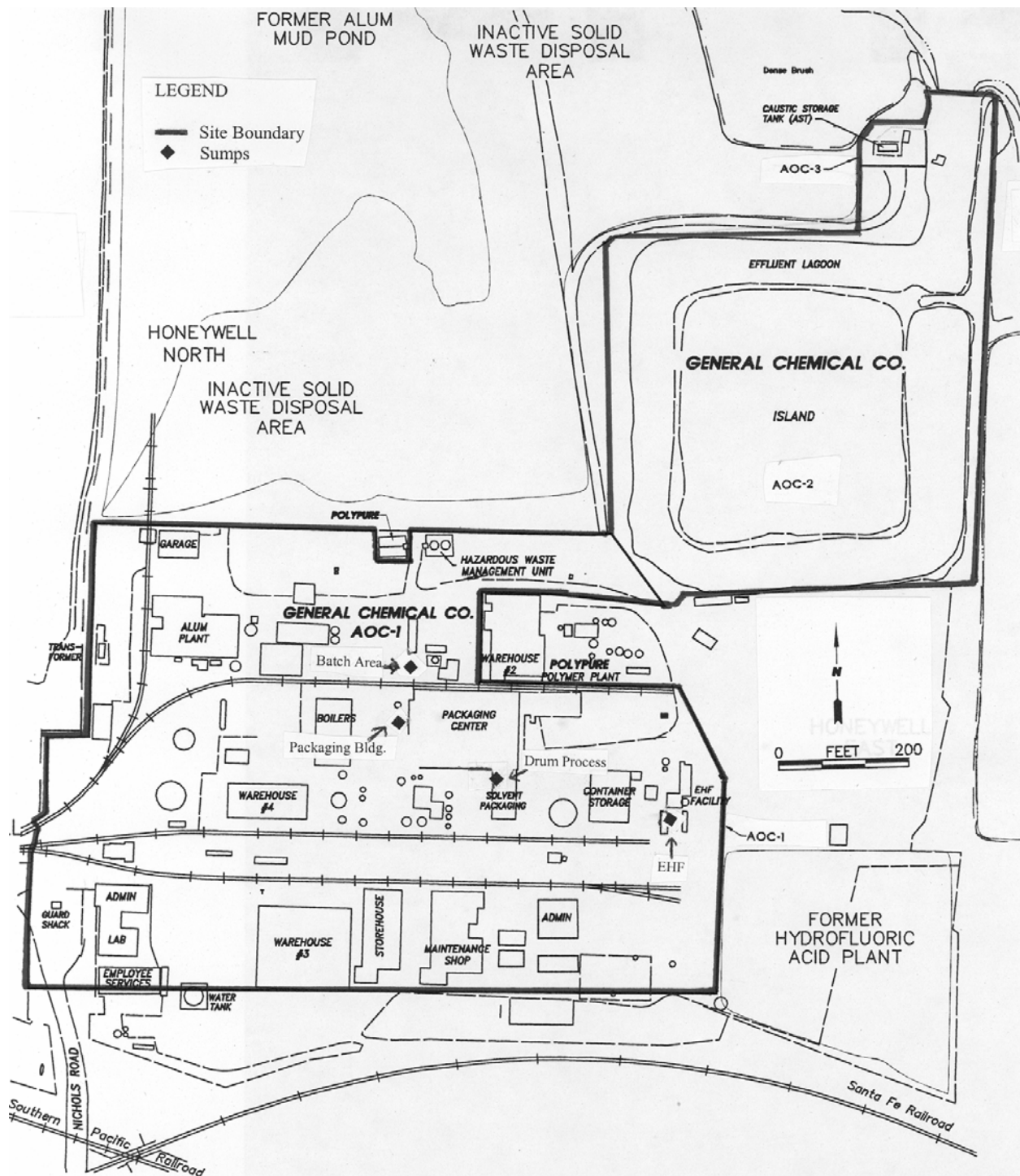


FIGURE 2. Facility Plot Plan, General Chemical